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7 Attorneys for Complainant  
8  
9

10 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2008-320

13 **BARBARA ANN SAHADI,**  
14 **AKA BARBARA ANN BAKER**  
2824 Clay Street  
15 Alameda, CA 94501  
and  
16 2509 N. Silverado Street  
Mesa, AZ 85215

**A C C U S A T I O N**

17 Registered Nurse License No. 519189

18 Respondent.  
19

20 Complainant alleges:

21 **PARTIES**

22 1. Ruth Ann Terry, M.P.H., R.N. ("Complainant") brings this Accusation  
23 solely in her official capacity as the Executive Officer of the Board of Registered Nursing  
24 ("Board"), Department of Consumer Affairs.

25 2. On or about February 7, 1996, the Board issued Registered Nurse License  
26 Number 519189 to Barbara Ann Sahadi, also known as Barbara Ann Baker ("Respondent"). The  
27 registered nurse license expired on September 30, 2007.

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1                   8.     **DRUG**

2                   "Vicodin" is a compound consisting of 5 mg. hydrocodone bitartrate, also known  
3 as dihydrocodeinone, a Schedule III controlled substance as designated by Health and Safety  
4 Code section 11056(e)(4), and 500 mg. acetaminophen per tablet.

5                                   **FIRST CAUSE FOR DISCIPLINE**

6   (Out-of-State Discipline)

7                   9.     Respondent's registered nurse license is subject to disciplinary action  
8 under Code section 2761, subdivision (a)(4) on the grounds of unprofessional conduct in that she  
9 was she was disciplined by the Arizona State Board of Nursing. The circumstances are as  
10 follows:

11                   10.    On or about May 15, 2008, pursuant to the Consent Agreement and Order  
12 No. 0608054, in *In the Matter of Professional Nurse License No.: RN121062 Issued to Barbara*  
13 *Ann Sahadi* (attached hereto as **Exhibit A**), the Arizona Board of Nursing revoked respondent's  
14 license to practice as a registered nurse in Arizona. Respondent's Arizona license was revoked  
15 based upon her non-compliance with the terms of Suspension in Consent Agreement and Order  
16 No. 0608054.

17                   11.    On or about May 1, 2007, pursuant to the Consent Agreement and Order  
18 No. 0608054, in *In the Matter of Professional Nurse License No.: RN121062 Issued to Barbara*  
19 *Ann Sahadi* (attached hereto as **Exhibit B**), the Arizona State Board of Nursing placed  
20 Respondent's Arizona Registered Nurse License, No. RN121062 on indefinite suspension for up  
21 to one year pending successful completion of a substance abuse evaluation.

22                                   **SECOND CAUSE FOR DISCIPLINE**

23   (Possess and Self-Administer Controlled Substance in Violation of Law)

24                   12.    Respondent's registered nurse license is subject to disciplinary action  
25 under Code section 2761, subdivision (a), on the grounds of unprofessional conduct, as defined  
26 in Code section 2762, subdivision (a), in that on or about July 29, 2006, while on duty as a  
27 registered nurse at Maricopa Medical Center in Phoenix, Arizona, Respondent did the following:

28                   a.     Respondent possessed Vicodin, a controlled substance, in violation of

1 Code section 4060.

2 b. Respondent self-administered Vicodin, a controlled substance, without  
3 direction from a licensed physician, surgeon, dentist, naturopathic doctor, or podiatrist.

4 **PRAYER**

5 **WHEREFORE**, Complainant requests that a hearing be held on the matters  
6 herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

7 1. Revoking or suspending Registered Nurse License Number 519189, issued  
8 to Barbara Ann Sahadi, aka Barbara Ann Baker;

9 2. Ordering Barbara Ann Sahadi, aka Barbara Ann Baker, to pay the Board of  
10 Registered Nursing the reasonable costs of the investigation and enforcement of this case,  
11 pursuant to Code section 125.3; and,

12 3. Taking such other and further action as deemed necessary and proper.

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14 DATED: 5/16/08

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RUTH ANN TERRY, M.P.H., R.N.  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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bc [9-11-2007]

ela [5/16/08]

# EXHIBIT A

BEFORE THE ARIZONA STATE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY )  
ACTION AGAINST PROFESSIONAL )  
LICENSE NO.: RN121062 ) **NOTICE OF REVOCATION**  
ISSUED TO: )  
BARBARA ANN SAHADI )

The Arizona State Board of Nursing hereby gives notice that the professional nurse license number RN121062, issued to Barbara Ann Sahadi, is hereby revoked in accordance with the provisions of Consent Agreement and Order No. 0608054 and is effective upon the date of this Notice of Revocation.

Pursuant to R4-19-404(B), Barbara Ann Sahadi may apply for reinstatement of said licenses after a period of five years.

DATED this 15<sup>th</sup> day of May, 2008.

SEAL

ARIZONA STATE BOARD OF NURSING

*Joey Ridenour R.N. M.N. F.A.A.N.*

Joey Ridenour, R.N., M.N., F.A.A.N.  
Executive Director

Dated: May 15, 2008

JR/dh:bs

COPY mailed this 15<sup>th</sup> day of May, 2008, by Certified Mail No. 7007 1490 0004 0051 2231 and First Class mail to:

Barbara Ann Sahadi  
2509 N. Silverado St.  
Mesa, AZ 85215

By: Brent Sutter  
Legal Secretary



FILE COPY

Janet Napolitano  
Governor

Joey Ridenour  
Executive Director

**Arizona State Board of Nursing**

4747 North 7th Street, Suite 200  
Phoenix, AZ 85014-3653  
Phone (602) 889-5150 Fax (602) 889-5238  
E-Mail: [arizona@azbn.gov](mailto:arizona@azbn.gov)  
Home Page: <http://www.azbn.gov>

May 15, 2008

Barbara A. Sahadi  
2509 N. Silverado Street  
Mesa, AZ 85215

RE: Consent Agreement and Order No. 0608054  
License No. RN121062

Dear Mrs. Sahadi:

Enclosed is a Notice of Revocation, providing notice to you that the Arizona State Board of Nursing ("Board") automatically revoked your professional nurse license number RN121062 on May 15, 2008. Your license was automatically revoked because of your non-compliance with the terms of Suspension in Consent Agreement and Order No. 0608054, which became effective on May 1, 2007.

Paragraph B. -- Order... "Respondent's license is placed on indefinite suspension for up to twelve months pending the successful completion of a substance abuse evaluation to be completed by a Board-approved Addictionologist. However, if Respondent fails to complete the evaluation within twelve months from the effective date of this Order, the license **shall be automatically revoked for a period of five years.**

Documentation in your monitoring file at the Board indicates that you were non-compliant with the following terms of the Suspension:

**Paragraph 2. --- Addictionologist Evaluation:**

*Prior to the termination of suspension, Respondent shall make an appointment to undergo a substance abuse evaluation by a Board approved Addictionologist, M.D., who is certified by the American Society of Addiction Medicine (ASAM). Respondent shall execute release of information forms to allow the evaluator to communicate information with the board or its designee. Prior to the evaluation, Respondent shall furnish a copy of the Findings of Facts, Conclusion of Law and the Order, to the evaluator who shall verify receipt of the Order in a written report on letterhead to the Board. Respondent shall direct the evaluator to submit a report to the Board summarizing the evaluation within thirty days after the completed appointment for the evaluation.*

The report should include a history of chemical use, past and present treatment and/or recovery activities, results of any testing, pertinent laboratory tests, a physical examination which should include but is not limited to the presence of needle puncture marks, thrombophlebitis, abscesses or ulcers, ulcerations or perforations of the nasal septum, cigarette burns or scars from an old burns,

Barbara Ann Sahadi  
May 15, 2008  
Page 2

pylori erection, cheilosis, contact dermatitis, jaundice and oral mononilia infection. The report should also include any recommendations or treatment and an assessment as to Respondent's ability to function safely in nursing based on Respondent's recovery status.

*You failed to provide proof of an appointment to undergo a substance abuse evaluation by a Board approved Addictionologist, M.D., to be completed within twelve (12) months from the effective date of your Order, by May 1, 2008.*

Paragraph 6. — Renewal of License

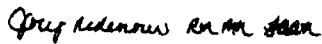
In the event the license is scheduled to expire while this Order is in effect, Respondent shall apply for renewal of the license and pay the applicable fee.

*You failed to renew your professional nursing license, as required in your Consent Agreement. Your license lapsed/expired on June 30, 2007.*

**The conduct and circumstances described above constitute violations of A.R.S. § 32-1663(D) as defined in A.R.S. § 32-1601(16)(i) and (j).**

As indicated in the Notice of Revocation, you are eligible to apply for reinstatement of your nursing license on or after **May 15, 2013**. If you have any questions regarding this letter or the Notice of Revocation, please call me, Joey Ridenour, R.N., M.N., F.A.A.N., at (602) 889-5200.

Sincerely,



Joey Ridenour, R.N., M.N., F.A.A.N.  
Executive Director

JR/dh

Enclosure

# EXHIBIT B

**BEFORE THE ARIZONA STATE BOARD OF NURSING**

IN THE MATTER OF PROFESSIONAL )  
NURSE LICENSE NO.: RN121062 )  
ISSUED TO: )  
 )  
BARBAARA ANN SAHADI )  
RESPONDENT )  
\_\_\_\_\_ )

**CONSENT AGREEMENT  
AND  
ORDER NO. 0608054**

**CONSENT AGREEMENT**

A complaint charging Barbara Ann Sahadi (hereinafter "Respondent") with violation of the Nurse Practice Act has been received by the Arizona State Board of Nursing (hereinafter "Board"). In the interest of a prompt and speedy settlement of the above-captioned matter, consistent with the public interest, statutory requirements and the responsibilities of the Board, and pursuant to A.R.S. § 41-1092.07 (F)(5), the undersigned parties enter into this Consent Agreement as a final disposition of this matter:

Based on the evidence before it, the Board makes the following Findings of Fact and Conclusions of Law:

**FINDINGS OF FACT**

1. Respondent holds Board issued professional nurse license no. RN121062.
2. From on or about September 2005 until September 2006, Respondent was employed at Maricopa Medical Center in Phoenix, Arizona.
3. On or about July 29, 2006 the staff discovered that two Percocet pills were missing from the narcotic count. Respondent was the last person who had dispensed any Percocet. Upon further investigation it was discovered that at least eight Percocet were unaccounted for by Respondent. Respondent was unable to explain the discrepancies when her

manager spoke to her. Respondent was asked to undergo a urine drug screen (UDS) which was positive for oxycodone and vicodin. Respondent had a valid prescription for the oxycodone. Respondent said she had forgotten that she had used one of her husband's vicodin and that is why her UDS was positive for the vicodin. Respondent said she had used her husband's vicodin two or three times a month for the last couple of years. Respondent said she has been taking oxycodone for sixteen years and she believes she is psychologically dependent on the medication.

4. On or about November 20, 2006, Respondent denied that she had diverted any medications while on duty. Respondent said the reason she could not explain the discrepancies to her supervisor was because she was not shown the medical records at the time of the meeting.

5. According to the medical record for patient J.I. Respondent failed to document the administration of two tablets of oxycodone 5 mg. at 2213, and 2231, on July 28, 2006, and also at 0611, and 0612 on July 29, 2006 on the Medication Administration Record (MAR). Respondent said she made an error when she opened the pyxis at 0611 and 0612 and did not remove oxycodone each time she opened the pyxis in error. Respondent also failed to document the administration of two tablets of oxycodone 5 mg. at 2233 for patient D.M. on the MAR on July 29, 2006.

6 On or about September 15, 2006 Respondent was terminated from Maricopa Medical Center.

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### **CONCLUSIONS OF LAW**

Pursuant to A.R.S. §§ 32-1606, 32-1663, and 32-1664, the Board has subject matter and personal jurisdiction in this matter.

The conduct and circumstances described in the Findings of Fact constitute violations of A.R.S. §§ 32-1663 (D) as defined in 32-1601(16) (d) and (j); and A.A.C. R4-19-403 (7) (9) (17) (18) and (31); (adopted effective November 13, 2005).

The conduct and circumstances described in the Findings of Fact constitute sufficient cause pursuant to A.R.S. § 32-1664(N) to revoke, suspend or take other disciplinary action against the license of Respondent to practice as a professional nurse in the State of Arizona.

Respondent admits the Board's Findings of Fact and Conclusions of Law.

In lieu of a formal hearing on these issues, Respondent agrees to issuance of the attached Order and waives all rights to a hearing, rehearing, appeal or judicial review relating to the Order except in the limited circumstance(s) specified in Paragraph 9 of Terms of Suspension. Respondent understands that all investigative materials prepared or received by the Board concerning these violations and all notices and pleadings relating thereto may be retained in the Board's file concerning this matter.

Respondent understands that those admissions are conclusive evidence of a prior violation of the Nurse Practice Act and may be used for purposes of determining sanctions in any future disciplinary matter.

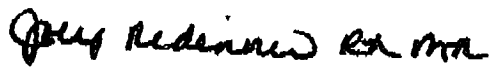
Respondent understands the right to consult legal counsel prior to entering into this Consent Agreement and such consultation has either been obtained or is waived.

Respondent understands that this Consent Agreement is effective upon its acceptance by the Board and by Respondent as evidenced by the respective signatures thereto. Respondent's signature obtained via facsimile shall have the same effect as an original signature. Once signed by the Respondent, the agreement cannot be withdrawn without the Board's approval or by stipulation between the Respondent and the Board's designee. The effective date of this Order is the date the Consent Agreement is signed by the Board and by Respondent. If the Consent Agreement is signed on different dates, the later date is the effective date.

  
Respondent

Dated: 5-1-07

ARIZONA STATE BOARD OF NURSING

  
Joey Ridenour, R.N., M.N.  
Executive Director

Dated: March 27, 2007

TORREZ/RN121062.SAHADI

### ORDER

In view of the above Findings of Fact, Conclusions of Law and the consent of Respondent, the Board hereby issues the following Order:

A. Respondent's consent to the terms and conditions of the Order and waiver of public hearing are accepted.

B. Respondent's license is placed on indefinite suspension for up to twelve months pending the successful completion of a substance abuse evaluation to be completed by a

Board-approved Addictionologist. However, if Respondent fails to complete the evaluation within twelve months from the effective date of this Order, the license shall be **automatically revoked for a period of five years.**

C. This Order becomes effective upon the Board and the Respondent's acceptance of the Consent Agreement. The effective date is the date the Consent Agreement is signed by the Board and the Respondent. If the Consent Agreement is signed on different dates, the later date is the effective date.

D. **If Respondent fails to complete the substance abuse evaluation within twelve months from the effective date of this Order, Respondent's license shall be automatically revoked for a period of five years. The Board or its designee, in its sole discretion, shall determine noncompliance with the stayed portion of the Order. Respondent waives any and all rights to a hearing, rehearing or judicial review of any revocation imposed pursuant to this paragraph.**

E. If Respondent is noncompliant with any of the other terms of the Order during the indefinite suspension period, Respondent's noncompliance shall be reviewed by the Board for consideration of possible further discipline on Respondent's nursing license.

F. If Respondent is convicted of a felony, Respondent's license shall be automatically revoked for a period of five years. Respondent waives any and all rights to a hearing, rehearing or judicial review of any revocation imposed pursuant to this paragraph.

G. If Respondent fails to renew her license and it remains expired for two or more years, Respondent's license will automatically be revoked. Respondent waives the right to hearing, rehearing, appeal, or judicial review relating to this Order except in the limited circumstances specified in Paragraph 9 of the Order.

H. The suspension is subject to the following terms and conditions:

**TERMS OF SUSPENSION**

1. Surrender of License

Respondent shall immediately surrender her nursing license to the Board and shall not practice nursing for an indefinite period of time (up to twelve months) pending the completion of a substance abuse evaluation.

2. Addictionologist Evaluation

Prior to the termination of Suspension, Respondent shall make an appointment to undergo a substance abuse evaluation by a Board approved Addictionologist, M.D., who is certified by the American Society of Addiction Medicine (ASAM). Respondent shall execute release of information forms to allow the evaluator to communicate information with the Board or its designee. Prior to the evaluation, Respondent shall furnish a copy of the Findings of Facts, Conclusion of Law and the Order, to the evaluator who shall verify receipt of the Order in a written report on letterhead to the Board. Respondent shall direct the evaluator to submit a report to the Board summarizing the evaluation within thirty days after the completed appointment for the evaluation.

The report should include a history of chemical use, past and present treatment and/or recovery activities, results of any testing, pertinent laboratory tests, a physical examination which should include but is not limited to the presence of needle puncture marks, thrombophlebitis, abscesses or ulcers, ulcerations or perforations of the nasal septum, cigarette burns or scars from an old burns, pylori infection, cheilosis, contact dermatitis, jaundice and oral mononilia infection. The report should also include any recommendations or treatment and an

assessment as to Respondent's ability to function safely in nursing based on Respondent's recovery status.

Respondent must satisfactorily complete any and all recommendations made by the evaluator. If treatment or therapy is recommended Respondent shall, within ten days of the requirement notice, submit to the Board or its designee for prior approval the name and qualifications of treatment facilities and or therapists of Respondent's choice. Respondent shall within thirty days of the Board's receipt of the evaluator's report, initiate all treatment and or therapy activities. The Board reserves the right to amend the Order based upon the recommendations of the evaluator.

3. Obey all Laws

Respondent shall obey all federal, state and local laws, and all laws/rules governing the practice of nursing in this state. Offenses such as driving under the influence may subject Respondent to further disciplinary action, commission of minor civil moving traffic violations are excluded.

4. Interview with the Board or its Designee

Respondent shall appear in person for interviews with the Board or its designee upon request at various intervals and with reasonable notice.

5. Change of Employment/Personal Address/Telephone Number

Respondent shall notify the Board, in writing, within one week of any change in employment, personal address or telephone number

6. Renewal of License

In the event the license is scheduled to expire while this Order is in effect, Respondent shall apply for renewal of the license and pay the applicable fee.

7. Release of Information Forms

Respondent shall sign all release of information forms as required by the Board or its designee and return them to the Board within 10 days of the Board's written request. If Respondent fails to execute the releases, her license shall be reviewed by the Board for consideration of possible further discipline on Respondent's license.

8. Costs

Respondent shall bear all costs of complying with this Order.

9. Violation of Suspension

If Respondent violates this Order in any respect, the Board, after giving Respondent notice and the opportunity to be heard, may revoke Respondent's license or take other disciplinary action. If a complaint is filed against Respondent during suspension, the Board shall have continuing jurisdiction until the matter is final, and the period of suspension shall be extended until the matter is final.

10. Voluntary Surrender of License

Respondent may, at any time this Order is in effect, voluntarily request surrender of her license.

11. Completion of Suspension

Following the successful completion of a substance abuse evaluation by a Board-approved Addictionologist, Respondent shall make a request, in writing, to the Board for review of the terms of suspension and to determine the status of Respondent's license.

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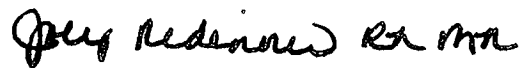
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12. Costs

Respondent shall bear all costs of complying with this Order.

ARIZONA STATE BOARD OF NURSING

SEAL



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Joey Ridenour, R.N., M.N.  
Executive Director

Dated: March 27, 2007

JR/SRT:ts

COPY mailed this 2<sup>nd</sup> day of April, 2007, by First Class Mail, to:

Barbara Ann Sahadi  
2509 N Silverado Street  
Mesa, AZ 85215

By: Trina Smith  
Legal Secretary

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